GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

APIES – T.Nagalakshmi, Lab Attender, Government Junior College, Mahabubia Junior College for Girls, Hyderabad – Extension of Minimum Time Scale of Pay – Orders – Issued.

HIGHER EDUCATION (IE.1-2) DEPARTMENT

G.O.Rt.No. 560   Dated:09-08-2012
                                                         Read the following:-

1. From the Commissioner of Intermediate Education, A.P. Hyderabad, Lr.Rc.No.Voc.1-2/1241/2001, dated:03.12.2010.
2. From the Commissioner of Intermediate Education, A.P. Hyderabad, Lr.Rc.No.Voc.1-2/1241/2001, dated:19.11.2011.
3. Govt. Memo.No.18052/IE.1.2/2010-2, Dt:08.12.2011.
4. From the Commissioner of Intermediate Education, A.P. Hyderabad, Lr.Rc.No.Voc.1-2/1241/2001, dated:09.07.2012.

O R D E R:

        Government in G.O.Ms.No.460, Education, dated:18.10.1985 has directed the Principals to fill the post of Lab Attenders through part time arrangement on consolidated pay of Rs.650/- per month and not to make regular appointments to these posts. Certain part time Lab Attenders services have been regularized by the Principals of the Colleges irregularly. Director of Intermediate Education, A.P., Hyderabad has reverted all such part time Lab Attenders who were regularized by the Principals. Smt.T.Naga Lakshmi, Lab Attender, Government Junior College, Mahabubia Junior College for Girls, Hyderabad and others have challenged their reversion in OA No.3066/1995 and other O.As before the Tribunal. The A.P.A.T have disposed the OA No.3066/1995 along with batch of O.As, M.A., V.M.As., and C.As and delivered the following judgment on 17.08.1999 "the ends of justice would be met if the applicants are paid the salaries attached to the post of Lab Attenders in pursuance of the orders issued to him under Rule 10 (a) (1) (i) of A.P. State and Subordinate Service Rules. However, the respondents are at liberty to recover the irregular payments made by the concerned principal who allowed the irregular regularization".

2.   Against the orders of Tribunal, W.P.No.9137/1998 has been filed in High Court. The High Court by its judgment dated:25.06.2001 held the orders canceling the Time Scale of Pay granted to the petitioners and putting them back on fixed pay as illegal. Government filed Civil Appeal No.1794-1797/2004 before the Supreme Court. Supreme Court vide its orders dated:05.10.2010 by upholding the decision of High Court has dismissed the Civil Appeals Smt.T.Nagalakshmi, Lab Attender, Government Junior College, Mahabubia College alleging non-compliance of High Court orders has filed C.C. No.1698/2011 before the High Court.

3.   The Commissioner of Intermediate Education, A.P. Hyderabad has stated that Smt. T.Nagalakshmi, Lab Attender, Government Junior College, Mahabubia College is working. Therefore according to Court orders the reinstatement of individual may not arise, However, they have not been paid regular scales attached to the posts.

                                                                    P.T.O

4.   Government have carefully examined the case of Smt.T.Nagalakshmi, Lab Attender, Government Junior College, Mahabubia College, in terms of the orders of the High Court and Supreme Court the petitioner is entitled to the restoration of the position prior to cancellation of orders, the petitioner is already working and she is eligible to hold the post. Therefore, Minimum Time Scale of Pay is granted to Smt.T.Nagalakshmi, Lab Attender, Government Junior College, Mahabubia College.

5.   The Commissioner of Intermediate Education, A.P., Hyderabad is requested to take further action in this matter, accordingly.

6.   This order issues with the concurrence of the Fin (PC-III) Department vide their U.O.No.19059-A/271/A1/PC-III/2012, dated:11.07.2012.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

RAJESHWAR TIWARI
PRINCIPAL SECRETARY TO GOVERNMENT [S.E& I.E]

To
The Commissioner of Intermediate Education, A.P. Hyderabad.
The Accountant-General, A.P., Hyderabad.
The Director of Treasuries and Accounts, Hyderabad.
The Pay and Accounts Officer, Hyderabad.
The Regional Joint Director of Intermediate Education, Hyderabad.
SF/SC.

//FORWARDED::BY ORDER//

SECTION OFFICER